

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
Of this Application:
Class _____ Subclass _____

Prior Application:
Exam'r: Arun K. Chakrabarti, Ph.D.
Prior Group Art Unit: 1634

Attorney's
Docket No.:
Enz-52(C2)

FILED BY EXPRESS MAIL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

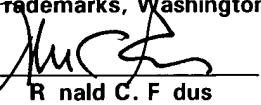
This is a request for filing a X CONTINUATION DIVISIONAL
CONTINUATION-IN-PART application under X 37 CFR §1.53(b), of pending
prior application Serial No. 10/206,031 filed on June 6, 2003 of
Engelhardt, et al.
Inventor(s)

for

**NOVEL PROCESS, CONSTRUCT AND CONJUGATE
FOR PRODUCING MULTIPLE NUCLEIC ACID COPIES**

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. X Small entity status was previously established in a prior application and is still applicable.

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. EV086339632US	
Deposit Date	<u>November 19, 2003</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 R. Nald C. F. dus Reg. N. 32,567	<u>NOV 19 2003</u> Date

22390 U.S. PTO
10/718391
111903

Engelhardt, et al.

Serial No.: Not Yet Assigned

(Continuation of S. N. 10/206,031, filed June 6, 2003)

Filed: Herewith

Page: 2 (Request for a Continuation Application Under 37 C.F.R. §1.53(b) - November 19, 2003)

3. The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT												
					RATE			FEE				
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity			
Total Claims	13	=	0	x	\$ 9	\$ N/A	=	\$ 0	\$ ---			
Independent Claims	2	=	0	x	\$ 43	\$ N/A	=	\$ 0	\$ ---			
Multiple Dependent Claims Presented:	<u>Yes</u> <input checked="" type="checkbox"/> <u>No</u>				\$135	\$270		\$ --	\$ ---			
* If the difference in Col. 1 is less than zero, enter "0" in Col.2					BASIC FEE			\$385	\$ ---			
					TOTAL FEE			\$385	\$ ---			

4. The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any additional filing fees required under 37 CFR §1.16.

Any patent application processing fees under 37 CFR §1.17.

5. The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any patent application processing fees under 37 CFR §1.17.

The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Engelhardt, et al.

Serial No.: Not Yet Assigned

(Continuation of S. N. 10/206,031, filed June 6, 2003)

Filed: Herewith

Page: 3 (Request for a Continuation Application Under 37 C.F.R. §1.53(b) - November 19, 2003)

Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6. _____ A check in the amount of \$ _____ is enclosed.

7. X Cancel claims 2-90.

8. X Amend the specification by inserting before the first line of the sentence: ---- This is a X continuation, divisional of U.S. Patent Application Serial No. 10/260,031, filed on June 6, 2003, which is a continuation of U.S. Patent Application Serial No. 09/260,031, filed on April 16, 1999, now abandoned. Serial No. 09/260,031 is a divisional of Serial No. 08/182,621, filed on January 13, 1994, also abandoned.---

9. _____ Transfer the drawings from the prior application.

10. X Informal Formal drawings are enclosed.

11. _____ Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.

12. _____ Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119.

The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.

13. X The prior application is assigned of record to Enzo Diagnostics, Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York, New York 10022. A copy of the Assignment is enclosed.

14. X A preliminary amendment is enclosed.

15. X The power of attorney in the prior application is to: Ronald C. Fedus, Reg. No. 32,567.

(a) X The power appears in the original papers in the prior application.

Engelhardt, et al.

Serial No.: Not Yet Assigned

(Continuation of S. N. 10/206,031, filed June 6, 2003)

Filed: Herewith

Page: 4 (Request for a Continuation Application Under 37 C.F.R. §1.53(b) - November 19, 2003)

(b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) A copy of a new substitute power of attorney is enclosed.

(d) A copy of a new Associate Power of Attorney is enclosed.

(e) Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.
Enzo Life Sciences, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022

16. Oath or Declaration

(a) Newly executed (original or copy)

(b) Copy from a prior application (37 CFR 1.63(d))

(c) With Power of Attorney

(D) Without Power of Attorney

17. I hereby verify that the attached papers are a true copy of prior application Serial No. 10/206,031, filed on June 6, 2003.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

Engelhardt, et al.

Serial No.: Not Yet Assigned

(Continuation of S. N. 10/206,031, filed June 6, 2003)

Filed: Herewith

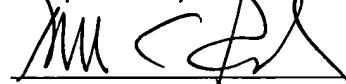
Page: 5 (Request for a Continuation Application Under 37 C.F.R. §1.53(b) -
November 19, 2003)

and that such willful false statements may jeopardize the validity of the application
or any patent issuing thereon.

November 19, 2003

Date

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

Inventor(s)
 Assignee of Complete Interest
 Attorney or Agent of Record
 Filed under 37 CFR § 1.34(a)

Address of Signator:

Enzo Life Sciences, Inc.

c/o Enzo Biochem, Inc.

527 Madison Avenue (9th Floor)

New York, NY 10022-4304